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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/509,186

09/23/2004

Tae-Jin Wo

2116-3019

7347

35884

7590

10/06/2010

LEE, HONG, DEGERMAN, KANG & WAIMEY
660 S. FIGUEROA STREET
Suite 2300
LOS ANGELES, CA 90017

EXAMINER

ARMSTRONG, ANGELA A

ART UNIT

PAPER NUMBER

2626

NOTIFICATION DATE

DELIVERY MODE

10/06/2010

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

uspto@hlaw.com
ip.hlaw@gmail.com
ip.hlaw@live.com

Office Action Summary	Application No. 10/509,186	Applicant(s) WO, TAE-JIN	
	Examiner ANGELA A. ARMSTRONG	Art Unit 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 July 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-6 and 8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-2,4-6,8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Office Action is in response to the amendment filed July 2, 2010 to amend claims 1 and 6. Currently, claims 1-2, 4-6 and 8 are pending.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-2, 4-6 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka (US Patent No. 6,560,403) in view of Meenakshisundaram et al (US Patent Application Publication No. 2006/0098742).

2. Regarding claims 1 and 6, Tanaka discloses a method and apparatus of playing the audio separately from a video, comprising: reading a first pack from among a plurality of packs stored in the video disc, wherein the first pack includes a data packet, wherein a first subset of the plurality of packs comprises one or more audio packs, and a second subset of the plurality of packs comprises one or more video packs (Figures 2 and 3; col. 3, lines 44-52; col. 4, lines 21-36; "A-CONT"- col. 9, lines 23-64); determining whether the first pack is an audio pack based on identification information included in the data packet, wherein a first value associated with the identification data indicates that a pack is an audio pack and a second value associated with the identification data indicates that the pack is a video pack (Figures 2-4; col. 3, lines 44-52; col. 4, lines 21-36; col. 9, line 23 to col. 10, line 59); decoding encoded data included in the data packet according to decoding format associated with audio data, in response to determining that

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the first pack is an audio pack (col. 9, line 23 to col. 12, line 67). Tanaka fails to teach a header packet comprising a packet start field and a stream ID field or reading the stream ID field located next to the packet start field, in response to determining that a read sector is not a system sector. However, utilizing and processing header packets to obtain stream ID information were well known in the art, as evidenced by Meenakshisundaram (paragraph 0023-0031). One of ordinary skill could have implemented the well known header packet and stream ID field processing and the results would have been predictable and resulted in an improved system.

3. Regarding claim 2, the combination of Tanaka and Meenakshisundaram teaches the identification information is stored in a header of the data packet (Figure 4; col. 10, lines 39-59).

4. Regarding claims 4 and 8, the combination of Tanaka and Meenakshisundaram teaches the audio encoded data in the data packet is decoded according to MPEG2 format (col. 13, lines 21-23, as the system utilizes discs suitable for a portable type disc playback apparatus).

5. Regarding claim 5, the combination of Tanaka and Meenakshisundaram teaches searching for a song stored in the video disc using a front margin, a rear margin, a start code, or/and an end code of the video disc (Figure 7; col. 11, line 44 to col. 12, line 13).

Response to Arguments

6. Applicant's arguments with respect to claims 1-2, 4-6 and 8 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANGELA A. ARMSTRONG whose telephone number is (571)272-7598. The examiner can normally be reached on Monday-Thursday 11:30-8:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Wozniak can be reached on 571-272-7632. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Angela A Armstrong/
Primary Examiner, Art Unit 2626